Case 19-25502-MBK Doc 31 Filed 11/27/19 Entered 11/28/19 00:31:45 Desc Imaged STATISTICAL INFORMATION ONCO Petiting and Selecting Figure 11/28/19 Oct 11/28/19 Oc

1_ Valuation	of Security <u>1</u> Assum	ption of Executory Contract or Unexpired Lease	1_ Lien Avoidance
			Last revised: September 1, 2018
		UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
n Re: <u>Joseph</u>	n Lombardi & Lorie Lombardi	Case No.: <u>19-25502</u>	
Debtor(s)		Judge: Michael B. Kapla	an
		Chapter 13 Plan and Motions	
	Original	[X] Modified/Notice Required	
	Motions Included	Modified/No Notice Required Da	ate: <u>11/15/2019</u>
	т	THE DEBTOR HAS FILED FOR RELIEF UNDER CHAPTER 13 OF THE BANKRUPTCY CODE	
		YOUR RIGHTS WILL BE AFFECTED	
affected by the included motion the Notice. The solution of th	nis plan. Your claim may be rions may be granted without he Court may confirm this plablan includes motions to avoionfirmation process. The plation or adversary proceeding ten creditor who wishes to co	ust file a written objection within the time frame stateduced, modified, or eliminated. This Plan may be further notice or hearing, unless written objection an, if there are no timely filed objections, without fid or modify a lien, the lien avoidance or modification confirmation order alone will avoid or modify the to avoid or modify a lien based on value of the countest said treatment must file a timely objection and	e confirmed and become binding, and is filed before the deadline stated in urther notice. See Bankruptcy Rule on may take place solely within the lien. The debtor need not file a sillateral or to reduce the interest rate.
includes each		importance. Debtors must check one box on each item is checked as "Does Not" or if both boxes are	
THIS PLAN:			
DOES FORTH IN P		DN-STANDARD PROVISIONS. NON-STANDARD	PROVISIONS MUST ALSO BE SET
WHICH MAY		MOUNT OF A SECURED CLAIM BASED SOLEL' AYMENT OR NO PAYMENT AT ALL TO THE SE	
	ODES NOT AVOID A JUE SEE MOTIONS SET FORTH	DICIAL LIEN OR NONPOSSESSORY, NONPURC I IN PART 7, IF ANY.	CHASE-MONEY SECURITY
nitial Debtor(s)' Attorney: <u>MCC</u>	Initial Debtor: <u>JL</u>	Initial Co-Debtor: <u>LL</u>

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Part 1: Payment and Length of Plan

			e Chapter 13 Trustee, starting on nall pay §910.00 per month for <u>48</u> r	September 1, 2019 for nonths beginning on September 1,				
b. The de	ebtor shall make plan	otor shall make plan payments to the Trustee from the following sources:						
□	Future earnings	Future earnings						
Е	Other sources of	Other sources of funding (describe source, amount and date when funds are available):						
c. Use o	f real property to sati	sfy plan obligation	s:					
Г	☐ Sale of real property							
	Description:							
_	Proposed date	for completion:						
	Refinance of real p							
		for completion.						
-	_							
L		•	ortgage encumbering property:					
		for completion:						
d. \square Th	•		will continue pending the sale, refi	nance or loan modification				
	· ·		relating to the payment and length					
e. 📙 Ot	nei iniomiation tiat i	nay be important i	relating to the payment and length	гогран.				
Part 2: Adeq	uate Protection	None						
a. Adequ and disbu	ate protection payme irsed pre-confirmation	ents will be made in to	n the amount of \$ (creditor)	to be paid to the Chapter 13 Trustee				
b. Adequoutside the	ate protection paymente Plan, pre-confirmation	ents will be made i tion to:	n the amount of \$(credi	to be paid directly by the debtor(s) tor).				
Part 3: Prior	ity Claims (Includi	ng Administrativ	ve Expenses)					
a. All allo	wed priority claims wi	ill be paid in full ur	nless the creditor agrees otherwise	9:				
Creditor	Type of Priority		Amount to be	Paid				
CHAPTER 13 STANDING TRUSTEE	ADMINISTRATIVE	AS ALLOWED B	Y STATUTE					
Gillman, Bruton & Capone, LLC	Counsel Fees	will file a fee app		the rate of \$425.00 per hour. Counsel cal Rules. Counsel estimates there will				
DOMESTIC SUPPORT OBLIGATION		\$0.00						
Internal Revenue Service	Tax Obligation	\$9,477.77						
State of NJ- Division of Taxation	Tax Obligation	\$2,433.81						
b. Domes		ns assigned or ow	red to a governmental unit and pa	id less than full amount: Check one:				
				gation that has been assigned to or is a pursuant to 11 U.S.C.1322(a)(4):				
Creditor	Type of	Priority	Claim Amount	Amount to be Paid				
	1							

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence

■ NONE

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Mr. Cooper	17 London Drive	\$9,763.59	0.00%	\$9,763.59	\$2,176.57

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears:

□ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Nationstar/Mr Cooper	171 Lilac Court	\$3,295.45	0.00%	\$3,295.45	\$972.00
Sixty Acre Reserve Condo Assoc	171 Lilac Court	\$11,196.68	0.00%	\$11,196.68	\$210.00
Americredit dba Gm Financial	2014 Honda Accord	\$458.00	0.00%	\$458.00	\$334.43
Esb/Harley Davidson Cr	2008 Harley Davidson FXSTSSE	\$1,432.37	0.00%	\$1,432.37	\$240.45
Esb/Harley Davidson Cr	2016 Harley Davidson XL1200X Sportster	\$732.14	0.00%	\$732.14	\$181.01
Wells Fargo NA- Auto	2013 Nissan Altima	\$971.98	0.00%	\$971.98	\$285.72

c. Secured claims excluded from 11 U.S.C. 506:

☐ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid Through the Plan Including Interest Calculation

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments

✓ NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid
TD Bank	17 London Drive	\$89,559.46	\$286,167.00	\$327,640.96	\$0.00	0.00	\$0.00
State of NJDOT	17 London Drive	\$7,651.13	\$286,167.00	\$327,640.96	\$0.00	0.00	0.00

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2.) Where the Debtor retains collate artificate of Alatic	emen ெருக ்பி 4்கருர் ப 9 of the allowed secured claim shall
discharge the corresponding lien.	

e. Surrender

V	NONE
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Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

f. Secured Claims Unaffected by the Plan [] NONE

The following secured claims are unaffected by the Plan:

Chase Auto (2011 Mazda S3)

Nissan Motor (2014 Nissan Altima)

g. Secured Claims to be Paid in Full Through the Plan:

NONE

Creditor Collateral Total Amount to be Paid Through the Plan

Part 5: Unsecured Claims	
NONE	
a Not separately classified allowed non-priority unsecured claims shall be paid:	

- a. Not separately classified allowed non-priority unsecured claims shall be paid:
 - Not less than \$0.00 to be distributed pro rata
 - Not less than 0.00% percent
 - [X] Pro Rata distribution from any remaining funds
- b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis of Separate Classification	Treatment	Amount to be Paid				
Part 6: Executory Contracts and Unexpired Leases							
■ NONE							

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment
Toyota Motor Credit	\$573.94	2017 Lexus NX	Assume	\$199.70

Part 7: Motions NONE

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, Notice of Chapter 13 Plan Transmittal, within the time and in the manner set forth in D.N.J. LBR 3015-1. ACertification of Service must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f). V NONE

The Debtor moves to avoid the following liens that impair exemptions:

Sum of All Amount of Amount of Nature of Amount of Value of Other Liens Type of Creditor Claimed Lien to be Against the Collateral Lien Lien Collateral Exemption Avoided Property

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b. Motion to Avoid Lie	ns and Reclassi	artificate of Notice	mpletely unsectived. 9	•

Tha	Dahtar mayor to	· raalaaaifi	tha fallawina	alaima aa	saccured and to	vaid liana an	aallataral a	consistent withPar	# 1 abava.

Creditor	Collateral	Schedule Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified
TD Bank	17 London Drive	\$89,559.46	\$286,167.00	\$327,640.96	0.00	\$89,559.46
State of New Jersey DOT	17 London Drive	\$7,651.13	\$286,167.00	\$327,640.96	0.00	\$7,651.13

C.	Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. $\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \$	NE
Th	ne Debtor moves to reclassify the following claims as partially secured and partially unsecured, and tovoid liens on collar	teral
CO	ensistent with Part 4 above:	

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. \	Vesting	of Pro	perty of	the	Estate
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[X] Upon confirmation

Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Counsel Fees/Administrative Costs
- 3) Secured Claims
- 4) Priority Claims
- 5) General Unsecured Claims

d. Post-Petition Claims

The Trustee \square is, [X] is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification NONE

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being Modified: 8/16/19.

Explain below **why** the plan is being modified:

Explain below **how** the plan is being modified:

Added proper amounts to be paid to creditors as per filed claims and amended plan payment accordingly.

Are Schedules I and J being filed simultaneously with this Modified Plan? [X] Yes
No

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Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:
▼ NONE
Explain here:
Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to Local Form, Chapter 13 Plan and Motions, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: <u>11/15/2019</u> /s/ Joseph Lombardi

Debtor

Date: <u>11/15/2019</u> /s/ Lorie A Lombardi

Joint Debtor

Date: <u>11/15/2019</u> <u>Marc Capone</u>

Attorney for the Debtor

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United States Bankruptcy Court
District of New Jersey

In re: Joseph Lombardi Lorie A Lombardi Debtors Case No. 19-25502-MBK Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3 User: admin Page 1 of 3 Date Rcvd: Nov 25, 2019 Form ID: pdf901 Total Noticed: 62

Notice by	first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on
Nov 27, 20	
db/jdb cr	+Joseph Lombardi, Lorie A Lombardi, 17 London Drive, Jackson, NJ 08527-2615 +Sixty Acre Reserve Condominium Association, Inc., c/o McGovern Legal Services, LLC, 850 Carolier Lane, North Brunswick, NJ 08902-3312
cr	+U.S. Bank Trust National Association, RAS Crane, LLC, 10700 Abbotts Bridge Road, Suite 170, Duluth, GA 30097-8461
518482062	Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
518401216	+Chase Auto, Po Box 901003, Ft Worth, TX 76101-2003
518401219	+Credit One Bank Na/LVNV Funding, Po Box 98875, Las Vegas, NV 89193-8875
518401220	+Dept of Taxation & Finance, NYS Assessment Receivables, PO Box 4127, Binghamton, NY 13902-4127
518401221	+Equifax, P.O. Box 740241, Atlanta, GA 30374-0241
518401223	+Experian, 475 Anton Blvd, Costa Mesa, CA 92626-7037
518450035	+Harley-Davidson Credit Corp., PO Box 9013, Addison, Texas 75001-9013
518401230	Macy's, PO Bo x9001094, Louisville, KY 40290
518401231	+McGovern Legal Services, LLC, 850 Carolier Lane, North Brunswick, NJ 08902-3312
518401232	+Mercantile Adjustment Bureau, PO Box 9055, Buffalo, NY 14231-9055
518506928	+Midland Funding LLC, PO Box 2037, Warren, MI 48090-2037
518401235	+Midland Funding/Best Buy, Pressler & Pressler, 7 Entin Road, Parsippany, NJ 07054-5020
518401236	+Mr. Cooper, 8950 Cypress Waters Blvd, Coppell, TX 75019-4620
518474949	+NATIONSTAR MORTGAGE LLC DBA MR COOPER, ATTN: BANKRUPTCY DEPT, PO BOX 619096, DALLAS, TX 75261-9096
518416175	+Nationstar Mortgage LLC d/b/a Mr. Cooper, RAS Citron, LLC, 130 Clinton Road, Suite 202, Fairfield, NJ 07004-2927
518401237	+Nationstar/Mr Cooper, 8950 Cypress Waters Blvd, Coppell, TX 75019-4620
518401238	+New Jersey Natural Gas, PennCredit, PO Box 69703, Harrisburg, PA 17106-9703
518447490	+New York State Dept of Taxation, POB 5300, Albany, NY 12205-0300 +Nissan, PO Box 742658, Cincinnati, OH 45274-2658
518401239 518401242	+Portfolio- The Home Depot, 120 Corporate Blvd, Ste 1, Norfolk, VA 23502-4952
518581898	++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245,
310301070	TRENTON NJ 08646-0245
	(address filed with court: State of New Jersey, Division of Taxation, Bankruptcy Section,
	PO Box 245, Trenton, NJ 08695-0245)
518401243	+Sixty Acre Reserve Condo Assoc, Taylor Management Company, 1 Nature Blvd, Jackson, NJ 08527-4100
518401244	+State of NJ- Division of Taxation, Pioneer Credit Recovery, PO Box 1018,
	Moorestown, NJ 08057-0018
518401245	+TD Bank, PO Box 16029, Lewiston, ME 04243-9507
518401246	+Tenaglia & Hunt, 395 West Passaic Street, Suite 205, Rochelle Park, NJ 07662-3016
518401247	+Tenaglia & Hunt, P.A., 395 West Passaic St. Suite 205, Rochelle Park, NJ 07662-3016
518463945	+Toyota Lease Trust, c/o Toyota Motor Credit Corporation, PO Box 9013, Addison, Texas 75001-9013
518401248	+Toyota Motor Credit, Po Box 9786, Cedar Rapids, IA 52409-0004
518401249	TransUnion, P.O. Box 2000, Crum Lynne, PA 19022
518401250	U S Dept Of Ed/Gsl/Atl, Po Box 4222, Iowa City, IA 52244
518516674	+U.S.BANK TRUST NATIONAL ASSOCIATION, FAY SERVICING, LLC, P.O. BOX 814609,
E104E0E00	Dallas, TX 75381-4609
518479780	+Wells Fargo Bank N.A., d/b/a Wells Fargo Auto, PO Box 130000, Raleigh NC 27605-1000
518478062	Wells Fargo Bank, N.A., Wells Fargo Card Services, PO Box 10438, MAC F8235-02F, Des Moines, IA 50306-0438
518401251	+Wells Fargo Dealer Svc, Po Box 10709, Raleigh, NC 27605-0709
Notice by	electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
smg	E-mail/Text: usanj.njbankr@usdoj.gov Nov 26 2019 00:10:43 U.S. Attorney, 970 Broad St.,
	Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
smg	+E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Nov 26 2019 00:10:38 United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
	Newark, NJ 07102-5235
518424043	E-mail/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM Nov 26 2019 00:10:08
310121013	Americredit Financial Services, Inc., Dba GM Financial, P.O Box 183853,
	Arlington, TX 76096
518401215	E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Nov 26 2019 00:16:57
	Capital One Bank Usa N, 15000 Capital One Dr, Richmond, VA 23238
518454318	+E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Nov 26 2019 00:17:15
	Capital One Bank (USA), N.A., 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901
518401217	+E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Nov 26 2019 00:10:26 Comenitybank/Victoria,
F10401010	Po Box 182789, Columbus, OH 43218-2789
518401218	+E-mail/PDF: creditonebknotifications@resurgent.com Nov 26 2019 00:15:30 Credit One Bank Na, Po Box 98875, Las Vegas, NV 89193-8875
518514863	FO BOX 988/5, Las Vegas, NV 89193-88/5 E-mail/Text: bnc-quantum@quantum3group.com Nov 26 2019 00:10:34
210214002	Department Stores National Bank, c/o Quantum3 Group LLC, PO Box 657,
	Kirkland, WA 98083-0657
518401222	+E-mail/Text: bankruptcy.notices@hdfsi.com Nov 26 2019 00:11:12 Esb/Harley Davidson Cr,
	Po Box 21829, Carson City, NV 89721-1829

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Date Royd: Nov 25, 2019

User: admin

District/off: 0312-3

District/off:	0312-3	User: admin Form ID: pdf901	Page 2 of 3 Total Noticed: 62	Г	ate Rovd: Nov 25, 2019
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		ecovery Associates, LLC,			Norfolk VA 23541
518497140		bnc-quantum@quantum3group			
518497756		oup LLC as agent for, MO EBN AIS@AMERICANINFOSOURCE			land, WA 98083-0788
51849//56		EBN_AIS@AMERICANINFOSOURCE InfoSource as agent, 45			zon, r, OK 73118-7901
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518500833*	Capital One,	N.A., c/o Becket and Le	e LLP, PO Box 3001,	Malvern PA	19355-0701 TOTALS: 2, * 2, ## 0
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pursuant to 1	1 U.S.C. 342(f)	/Fed.R.Bank.PR.2002(g)(4).			

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 27, 2019 Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

```
The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system on November 21, 2019 at the address(es) listed below:
Albert Russo docs@russotrustee.com
               Aleisha Candace Jennings on behalf of Creditor
                                                                      Nationstar Mortgage LLC d/b/a Mr. Cooper
                ajennings@rasflaw.com
                                           on behalf of Creditor U.S. Bank Trust National Association
               Aleisha Candace Jennings
               ajennings@rasflaw.com
                               on behalf of Debtor Joseph Lombardi 5325@notices.nextchapterbk.com,
               Marc C Capone
```

docs@caponeandkeefe.com,ecf@gbclawgroup.com;e4eaf5f23@maildrop.clio.com;mcapone@gbclawgroup.com on behalf of Joint Debtor Lorie A Lombardi 5325@notices.nextchapterbk.com, Marc C Capone docs@caponeandkeefe.com,ecf@gbclawgroup.com;e4eaf5f23@maildrop.clio.com;mcapone@gbclawgroup.com

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District/off: 0312-3 User: admin Page 3 of 3 Date Rcvd: Nov 25, 2019

Form ID: pdf901 Total Noticed: 62

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system (continued)

Marlena S. Diaz-Cobo on behalf of Creditor Sixty Acre Reserve Condominium Association, Inc. collections@theassociationlawyers.com

Melissa N. Licker on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper

NJ_ECF_Notices@mccalla.com

Rebecca Ann Solarz on behalf of Creditor Nationstar Mortgage LLC D/B/A Mr. Cooper

rsolarz@kmllawgroup.com

Shauna M Deluca on behalf of Creditor U.S. Bank Trust National Association sdeluca@rasflaw.com U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 10